

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Keenan Bailey Wilhite,

Plaintiff,

Case No. 24-11815- LVP-APP

v.

Hon. Linda V. Parker

Erin Parr-Mirza, et al,

Defendants.

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**ORDER STRIKING PLAINTIFF’S MOTION TO GET FILES AND  
RECORDS (ECF NO. 27)**

Plaintiff has filed a “Motion to Get Files and Records” (ECF No. 27), in which he states that he is “requesting any and all the records and files that pertains to anything that has to do with this case.” (*Id.*, PageID.170.) Federal Rule of Civil Procedure No. 5 provides that “requests for documents or tangible things” must not “be filed until they are used in the proceedings or the court orders filing . . . .” Fed. R. Civ. P. 5(d)(1). Likewise, the Eastern District of Michigan Local Rules state that a party “may not file discovery material specified in Fed. R. Civ. P. 5(d)(1) . . . .” E.D. Mich. LR 26.2. Plaintiff’s filing of his requests for “documents or tangible things” was filed separately from any motion or proceeding, and the Court did not order its filing. Discovery must be propounded in accordance with Fed. R. Civ. P.

26 through 36. The proper method for requesting discovery in a case where parties are represented by counsel is by serving one's opposing counsel in accordance with Fed. R. Civ. P. 5(b), not through the Court. Accordingly, the document shall be **STRICKEN** from the docket as improperly filed. (ECF No. 27.)

**IT IS SO ORDERED.**

Dated: March 29, 2025



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ANTHONY P. PATTI  
UNITED STATES MAGISTRATE JUDGE